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2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5

6 RODNEY MARTIN,

No. C 07-05747 CW

7 Plaintiff,

ORDER ON PENDING
MOTIONS

8 v.

9 D. ANDREW BYRNE, et al.,

10 Defendants.
11 _____/

12
13 On January 15, 2007, the above-captioned case was reassigned
14 to this Judge. Plaintiff has filed a Motion to Strike Motion to
15 Dismiss, Motion to Strike Joinder in Motion to Dismiss, Motion for
16 Default Judgment, and Motion for Leave to Electronically File.
17 Having considered Plaintiff's motions,

18 IT IS HEREBY ORDERED that Plaintiff's Motion to Strike Motion
19 to Dismiss, Motion to Strike Joinder in Motion to Dismiss, and
20 Motion for Default Judgment are denied. On January 16, 2008,
21 Defendants filed a Corrected Amended Motion to Dismiss.
22 Plaintiff's opposition to that motion will be due February 14,
23 2008, and any reply by Defendants will be due February 21, 2008;
24 thereafter the matter will be decided on the papers and no hearing
25 will be held unless so ordered by the Court. The hearing
26 previously set for February 21, 2008, is vacated.

27 IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to
28 Electronically File is granted. This case is hereby designated for

1 inclusion in the e-filing program pursuant to General Order 45 (see
2 the Court's Electronic Case Filing website, ecf.cand.uscourts.gov).
3 Mr. Martin must register to become an ECF user and will be assigned
4 a user ID and password for access to the system. Forms and
5 instructions for registering can be found on the Court's website at
6 ecf.cand.uscourts.gov. In all cases subject to ECF, in addition to
7 filing papers electronically, **the parties are required to lodge for**
8 **chambers no later than noon on the business day following the day**
9 **that the papers are filed electronically, one paper copy of each**
10 **document that is filed electronically.** These printed copies shall
11 be marked "Chambers Copy" and shall be clearly marked with the
12 judge's name, case number, and "Chambers Copy-Do Not File." The
13 printed copies shall be delivered to the Clerk's Office. Parties
14 shall not file a paper copy of any document with the Clerk's Office
15 that has already been filed electronically. In addition to being
16 filed, proposed orders in cases designated for e-filing shall also
17 be lodged with the court by being transmitted by electronic mail to
18 the specific address for that purpose which may be found on the ECF
19 web site.

1/22/08

Dated _____



CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARTIN et al,

Plaintiff,

v.

BYRNE et al,

Defendant.

Case Number: CV07-05747 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 22, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Arlo Hale Smith
Arlo Hale Smith, Esq.
66 San Fernando Way
San Francisco, CA 94127

Rodney Martin
P.O. Box 1591
El Cerrito, CA 94530

Dated: January 22, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk